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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE TRADEMARK EXAMINING OPERATIONS

In re:

BIOCYTE THERAPEUTICS, INC.

Serial No.:

76/409,421

Filed:

May 16, 2002

For:

BRAVA

l hereby certify that this correspondence (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service as "EXPRESS MAIL" in an envelope addressed to: BOX TTAB – NO FEE, Commissioner For Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513 on the date indicated below:

February 16, 2004
Date of Deposit

Signature

EXPRESS MAIL NO. EL 964839208 US

Susan Chwat-Myers

## REQUEST UNDER RULE 2.102(c) TO EXTEND TIME FOR FILING NOTICE OF OPPOSITION

BOX TTAB – NO FEE Commissioner for Trademarks 2900 Crystal Drive Arlington, VA 22202-3513 02-17-2004

U.S. Paterit & TMOfc/TM Mail Ropt Dt. #22

Dear Sir:

Pursuant to the provisions of Section 2.102(c) of the Trademark Rules of Practice and Section 13 of the Act of July 5, 1946 (15 U.S.C. 1051 et seq., as amended), <u>Aventis Pharma Deutschland GmbH</u> respectfully requests that the time for filing an opposition to the above application be extended for an additional period of thirty (30) days up to and including <u>March 17</u>, <u>2004</u>.

The mark was published in the Official Gazette of August 19, 2003. This additional extension is required in order to allow potential opposer and attorney for applicant time to reach an amicable settlement of this matter. Applicant's counsel, John Mings, has consented to this extension on February 16, 2004.

The Request is submitted in triplicate, as required by 37 C.F.R. § 2.102(d).

Respectfully submitted,

Margaret H. Bitler

Attorney for Potential Opposer

Dated: February 16, 2004

AVENTIS c/o Aventis Pharmaceuticals Inc. Patent & Trademark Dept Route #202-206 / P.O. Box 6800 (Mail Stop: BW-D-335) Bridgewater, NJ 08807-0800 Telephone (908) 231- 3180